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Register

MESSAGE

of

THE HONORABLE ELBERT N. CARVEL

Governor of Delaware

to the

FIRST REGULAR SESSION OF THE
ONE HUNDRED TWENTY SECOND GENERAL ASSEMBLY

of the

STATE OF DELAWARE

DOVER

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GOVERNOR'S MESSAGE

MR. PRESIDENT

MR. SPEAKER

MEMBERS OF THE ONE HUNDRED AND TWENTY-SECOND
GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

During this meeting of the 122nd General Assembly, we have a splendid opportunity to carefully remold some of our important institutions and departments into improved patterns to better serve the future needs of the people of Delaware.

We cannot afford to complacently rest upon the splendid record made during the past two years. Our State, like our Nation, is moving ahead. We are in the midst of a dynamic program of Progress for People in Delaware. Just as this magnificent Legislative Hall has taken on a new, fresh and attractive appearance, so are the agencies and commissions of our State moving forward with new vigor and vision.

All over the State there are inspiring evidences by our people that they are no longer willing to mark time, to stagnate and remain in the status quo, but rather we are making monumental efforts in at least a dozen areas to analyze our weaknesses and our problems, and we are calling in outstanding study groups to evaluate our positions and make recommendations which should result in an approach to excellence in these fields. These studies are being conducted in the following areas:

1. Budget and Financial Control;
2. Corrections and Rehabilitation;
3. Welfare;

4. School Building Construction;
5. Educational Television;
6. Mental Health;
7. Retraining and Re-employment;
8. The problems of young Delawareans in obtaining higher education in subjects not offered in our State institutions;
9. Area Skills;
10. Juvenile Delinquency;
11. Bidding Laws;
12. Tax Collection Machinery.

These efforts indicate our impatience with mediocrity and our desire to make Delaware a better State and provide improved services for our people.

Most of our emergencies have been resolved. The road of Progress for People has been charted and we can see and measure the successful steps already taken. Now, it is the joint responsibility of the Executive and Legislative branches, working cooperatively, to effect the second stage of our program to restore and refine the governmental machinery of our State.

Here are the most important and far-reaching proposals of our program:

BALANCED BUDGET FOR FISCAL 1963 and 1964

The continued success of our program of Progress for People requires responsible financing. Responsible financing includes balanced budgets, especially during the years of an expanding economy. Last spring the

budget for fiscal 1963 was prepared and enacted in the light of the best financial information available at that time. The indication then was that we could cover our expenditures ^{AND} provide a cash balance of approximately \$1 1/2 million on June 30, 1963.

Since that time the economy of our State has exceeded our predictions. In addition, higher agency reversions at the end of fiscal 1962 combined to build our cash position. During the present year the shift in harness racing dates and a substantial, unanticipated increase in revenue from inheritance and estate sources leads me to estimate ~~the~~ total revenue available during the present fiscal year, including the cash balance from last year, of \$105,185,000. Based on appropriations to date, a cash balance of approximately \$9 million is anticipated on June 30th.

This encouraging financial picture means that there will be funds during the balance of this fiscal year to take care of minor emergencies and a few highly essential projects. A word of caution at this point is highly important. Although our financial picture has been brightened in fiscal 1963 by the change in racing dates and an unusual increase in inheritance taxes, this particular financial advantage cannot be carried into fiscal 1964.

My estimate of \$102 million revenue for fiscal 1964 is based upon a projection of our rising economy. The recommended Budget Act, when added to Automatic Appropriations and routine Grants-in-Aid and reduced by anticipated reversions, contemplates an expenditure of \$103,688,530. A cash balance of \$5 million to \$6 million on June 30, 1964 is highly desirable. This means that at least \$6.7 million of the anticipated cash balance

on June 30, 1963 is committed for fiscal 1964, exclusive of desirable supplemental projects which the Assembly may wish to initiate.

IMPROVED EFFICIENCY IN STATE FINANCIAL MANAGEMENT

In the early days of our Administration I reorganized the State Council of Presidents and Executives - the Governor's informal cabinet. One of the Council's working committees, cooperating with the Budget Commission, undertook a comprehensive study of Delaware's financial operation. Using funds appropriated by the 121st General Assembly specifically for this purpose, the firm of Cresap, McCormick and Paget was retained to give professional assistance.

This independent company, outstanding in the field of government fiscal management, has completed its preliminary study and its detailed recommendations, approved by the State Council committee, will be available for you in the next few days. Most of the recommendations can be implemented without statutory change, and it is the desire of the State Council Committee and of this Administration to retain the services of Cresap, McCormick and Paget to work with our State agencies to fully implement these recommendations during the next 18 months. The additional cost of completing this project is \$50,000. They have recommended, and this Administration will present, a measure providing for the realignment of the fiscal duties already assigned to the Executive branch in order to facilitate the performance of these duties. This measure would provide for a full-time Budget Director, appointed by the Governor and confirmed by the Senate. The Budget Commission would be retained in an advisory capacity. The Budget Director

would be responsible for the budget preparation and expenditure control duties presently vested in the Budget Commission, and the "pre-audit" duties of the Auditor. The State Auditor would be assigned the "post-audit" duties now vested in the Budget Commission.

I concur with Cresap, McCormick and Paget that this is the extent of the statutory changes needed at this time to modernize our fiscal operation.

REAPPORTIONMENT

Last summer a bipartisan committee, appointed by the Governor, unanimously recommended a Constitutional Amendment to reapportion the General Assembly and the call for a Constitutional Convention. The 121st General Assembly passed the first leg on the Constitutional Amendment, but rejected the call for a Constitutional Convention. The final action on the Constitutional Amendment to reapportion our Assembly is now before this body.

The proposed amendment provides a much fairer representation in the House of Representatives, and is especially remarkable because it received the unanimous endorsement of the bipartisan statewide committee. The amendment preserves the integrity of our bicameral Assembly, clearly placing representation in the House on the principle of population without destroying the traditional right of even the smallest Hundred to be represented. In addition, it recognizes the historic political autonomy of our counties. Just as each state has always had representation in the lower house of the United States Congress, based upon a census taken every ten years, so each Hundred in our State is represented in the House of

Representatives of the Delaware Legislature. Just as each state, large or small, has an equal number of Senators in the United States Senate, so the counties would have equal representation in our Senate.

The Federal Court will be hearing argument on this case later this month. The amendment now before you, without change, is the only amendment within the constitutional power of this 122nd Assembly to effect. I urge you to give immediate and favorable consideration to this reapportionment amendment.

EARMARKING of DUPONT-GENERAL MOTORS DIVESTITURE REVENUE

The collection of personal income taxes this spring for calendar 1962 will include the first significant revenue from the DuPont-General Motors stock divestiture ordered by the Federal Courts. There is no practical way to estimate the amount of this first collection. We have excluded it entirely from our revenue estimate for personal income tax during this fiscal year, as well as during fiscal 1964. The State Tax Department which has just completed special forms for reporting this special revenue, will be able to determine the amount actually received from this source by early May of each year for the previous calendar year. While we will then know the amount involved, these monies cannot, under present law, be separated physically from the rest of the General Fund.

I strongly urge that legislation be enacted to isolate this windfall revenue from the General Fund and to limit its future use to expenditures for capital improvements of a permanent nature designed to benefit present and future

generations of our State.

REFORM OF CORRECTIONAL PROGRAM

During the spring of 1961, I appointed a Governor's Committee for a State Correctional Program consisting of 16 distinguished Delawareans, representing each county of the State and the City of Wilmington. The Delaware Crime Commission provided this Committee with \$25,000 which enabled it to employ the National Council on Crime and Delinquency to make a Study of juvenile and adult correction in Delaware.

It is my sincere hope that you will act promptly to implement the major immediate recommendations of this Study which provides for:

1. Expanded professional staff to step up the rehabilitation of those presently in our correctional institutions;
2. Expanded probation and parole staff and program to follow through to a logical conclusion in the field, the rehabilitative efforts begun in the institutions;
3. A single Family Court with statewide jurisdiction and expanded professional staff.

This program will result in over-all savings to the State, and over the years it will help to build a stronger community and strengthen the morale of our people.

MENTAL HEALTH

At a special Governors' Conference on Mental Health in Chicago during November of 1961, it was ably demonstrated by national leaders in the field

of mental health that with adequate professional staff, ample facilities and sufficient funds, it is possible to cut the population of our mental institutions in half by using the recently developed drugs and treatment.

There are a number of obstacles to be overcome before this desirable goal can be attained. It is estimated it will take double our present expenditures to accomplish this important target. Today, if the whole nation attempted to double its expenditures in this effort, sufficient psychiatrists and professional staff could not be employed because they are simply not available. Broad efforts are being made to train these all-important people so that an adequate number will be available within the next decade.

We in Delaware are slowly moving ahead in this field and a significant increase is being recommended in the budget of Delaware State Hospital.

REVISION OF MAGISTRATE SYSTEM

Under the leadership of the Supreme Court of Delaware, a study has been made of this archaic, outmoded system. The recommendations of this distinguished body should be enacted into law so that the people of Delaware will be assured of the best possible administration of justice. In addition to eliminating the fee system, these recommendations provide for a reduction of the total number of Justices of the Peace, for convenient locations of the courts throughout the State, and for staffing on a 24-hour basis. Constables would also be compensated by salary rather than by fees.

EDUCATION

Great strides have been made in both higher and public education in Delaware during the past two years. State support for the University of Delaware has been increased by 38% over this period. Additional funds for teacher salary schedule increases, for expanded special services, and for the unit appropriation for ALL OTHER COSTS have been provided.

This is as it should be. The future of our State and Nation depends upon the excellence of our educational system. The way we support and build our educational program will help to determine the success of our future leaders in government, business, agriculture and science. A sound educational program, turning out well-grounded, intelligent students, will help to lessen future unemployment and welfare claimants. Such a program will reduce the demands upon our mental health and correctional institutions.

1. Scholarships for Delawareans desiring to pursue studies in higher education not afforded to them within the State: Because of the small size of our State, we cannot economically provide top quality higher education in all the major fields. The concept of equal educational opportunity demands that qualified students who wish to pursue such programs as medicine, dentistry, law, veterinary medicine, psychiatry and many other professions vital to the welfare of our society, be assisted just as we are now assisting those who choose engineering or some other field provided by a Delaware institution.

For several years now we have been part of the Southern Regional Education Board at an annual administrative cost of \$33,000. It was thought

that we would some day provide the additional monies to place students in some of the Southern Regional institutions to meet these specialized demands of higher education. Last year I appointed a committee to study the value of Delaware's continued participation in this Compact. After intensive research, it was the recommendation of this Committee that we withdraw from the SREB and provide a program of direct scholarships to students desiring to pursue certain programs of higher education not provided in our Delaware institutions. I fully concur with these recommendations and urge that legislation for this purpose be supported.

2. Educational Television: In our efforts to step up the quality of our educational program, one opportunity available to us becomes more attractive with each passing day. Delaware should be utilizing television as an educational tool. This is a vast, untapped resource which is readily available to us. It is not my idea to eliminate a single teacher through the use of educational television. It is my strong belief that we will be able to broaden our courses of study and the effectiveness of transmittal of ideas through the use of teachers who are master communicators, broadcasting on educational television. In every case, they will be complemented by on-the-spot classroom teachers. I strongly urge the House and Senate Education Committees, or a joint committee of the Assembly, to work with the Governor to continue a study of the opportunities and benefits that are available to us. Closed circuit educational television could well be the answer to expensive school consolidations by providing a broad and uniform curriculum of high excellence, not presently available to all the schools of

our State -- large, medium and small.

3. Increase in the Driver Education Program. Presently, Delaware is providing about 65% of the qualified students in high school with the opportunity to share in the Driver Education Training Program. I believe that when this program becomes available to the entire qualified student enrollment, a splendid step will be taken to reduce accidents, injuries and fatalities on our streets and highways. To attain this goal I have caused sufficient funds to be included in the Budget being presented to provide for 100% participation in this important program by those qualified students.

4. Repair and Replacement of Capital Investment. During recent years the lack of attention given this problem has encouraged unsupervised appropriations. Our system of uniform appropriations to the districts is based on units of pupils. It is my belief that we should follow this practice except in cases of most extreme emergency. Routine maintenance and repair of our school buildings, such as the replacement of glass, painting, and refinishing of floors should be kept up to date and should be paid out of the unit appropriation of ALL OTHER COSTS. Major capital replacements such as a new roof, a new heating plant, a new plumbing or electrical system, or structural repairs expected to last a generation should be financed outside of this unit appropriation. There will be enough money in the General Fund to carry out a program of capital repairs of schools during this calendar year. An Administration measure will be presented to cover these major capital replacements. This will set forth guidelines for the expenditure of these funds and will provide for the supervision of this program by the

State Board of Education. I urge your prompt passage of this legislation so that the State Board and the schools may make adequate preparation for the installation of these capital replacements during the period the schools are closed down next summer.

LABOR AND FULL EMPLOYMENT

Our unemployment problem, which had reached a critical point two years ago, has been substantially relieved by our expanding economy. Despite this progress there is, and will continue to be, a persistent core of unemployment resulting from automation and the technical revolution in industry.

The Governor's Committee on Training for Employment has been systematically studying the causes and solutions of unemployment, and helping to coordinate the activities of the State and Federal agencies having a responsibility in this field. A statewide area skill survey by the Employment Security Commission and the University of Delaware to determine the long-range training needs is nearly complete. In cooperation with the Federal Manpower Utilization Act, we are starting our first class this month to train chemist assistants. Additional courses should be initiated within the next few months. The Apprenticeship and On-the-Job Training program has been overhauled to the fullest extent possible under the present law.

Our efforts in this area will be stepped up during the coming year. I support the Training Committee's recommendations for legislation to establish an Apprenticeship and Training Council under the State Department of Labor.

This Administration favors legislation which will establish a state minimum wage to cover many of the workers not under the jurisdiction of the Federal Wage and Hour Law, and which would eliminate the unnecessary waiting period required before a qualified unemployed person can collect benefits.

HIGHWAYS AND FLOOD CONTROL

During the past year our reorganized State Highway Department has demonstrated that it has the will and the energy to efficiently and effectively carry out the broad, progressive highway program Delaware needs. We cannot afford to have the experiences of 1960 repeated in 1963. Federal matching funds for Delaware are waiting our action. Major traffic arteries in northern New Castle County are seriously overcrowded and need to be promptly supplemented. Some of our important highways have deteriorated to the point where reconstruction is urgently required. Our citizens are entitled to not only a continued, but a stepped-up and improved program of suburban street renewal.

The City of Wilmington is in the heart of Delaware's prosperity and industry. During the past seven years, wide areas on the eastern and western side of that City have been razed to provide for slum clearance and FAI-2, the new Freeway. As a result, population and the taxable base has declined, posing a serious threat to the vigor and progress of this, the most important city of our State. To arrest further deterioration in the heart of this great Delaware metropolis, and to encourage business and redevelopment in that area, I urge that the completion date for FAI-2 be set for 1965

instead of 1967 as presently contemplated. This stepped-up program will require in the main, stepped-up appropriations. Our Highway Department has assured me that if the necessary funds are provided, the work can be completed by the stepped-up target date, albeit this would entail a tremendous effort on their part.

The State Highway Department will present a comprehensive highway program bond bill in the near future. It is imperative that the Assembly give early and favorable consideration to this measure or to a similar measure with such modifications as the Assembly in its wisdom may deem necessary.

The rapid population boom in New Castle County has created drainage as well as traffic problems. During recent years the State Highway Department has, when directed by Act of the General Assembly, carried out or participated in a number of drainage projects not directly connected with highway work. Such Acts have not been comprehensive in coverage, nor provided for maintenance of the project after completion.

New Castle County has advanced to the point where it should assume the responsibility for storm drainage. The Delaware Code does not clearly assign this responsibility to either the State or the County. It is my belief, previously expressed and supported by the Levy Court of New Castle County, that our laws should be amended to designate the Levy Court as the agency responsible for storm drainage in New Castle County and to provide a method of financing this work.

ADDITIONAL LEGISLATIVE PROGRAM

The enactment of the following legislation is highly important to the progress of the people of our State, and I strongly urge you to take positive action on these items during the present session:

1. Authorization of a Personnel Department to provide job classification and uniform personnel policies for State employees;
2. Pass the first leg of a Constitutional Amendment to provide for zoning in Kent and Sussex Counties;
3. Authorize enabling legislation to provide for Delaware River and Bay Crossings when submitted by the new Delaware-New Jersey Crossing Authority. I strongly urge that the authorization of a ferry crossing between Lewes and Cape May be vigorously supported, both by the new Authority and the Legislatures of Delaware and New Jersey;
4. Authority to our State Police to prevent the operation of highway vehicles which are emitting poisonous and noxious gasses into the atmosphere due to improper and inefficient combustion;
5. Provide whatever funds are deemed to be necessary in conjunction with Federal financing, to protect the shores and beaches of our valuable and highly regarded ocean and bay frontage;
6. Inter-State Compacts on: (a) the placement of children, (b) juveniles, (c) driver licenses, and (d) safety equipment;
7. The "Uniform Manual on Traffic Control Devices" as approved by the Delaware Highway Department;

8. Increase the ceiling presently over Old Age Assistance from \$75 per month to \$100 per month;

9. The proposed Bidding Laws drafted by the Governors Committee to improve and revise the present out-moded statutes;

10. The construction of a State Office Building to be located in the Poplar Street Redevelopment Project in Wilmington. This building would be one of a complex of Federal, State and City buildings in that area;

11. The construction of new State Office Buildings in the Dover area to provide space for (a) the present occupants of the Old State House, and (b) the State Highway Department;

12. Restore our Old State House so that it can be preserved as a beloved and hallowed Historic Shrine for present and future generations;

13. The purchase of the Hope Building on the Dover Green for State offices;

14. Ratify the U.S. Constitutional Amendment to eliminate the payment of the Poll Tax as a requirement for voting in Federal elections;

15. The revision of Delaware's Election Laws, as recommended by the State Auditor, who is also the State Election Commissioner;

16. Provide for a financial accounting to the Secretary of State of all expenditures over \$100 by the major political parties and candidates in all primaries and general elections;

17. A Leasing Law to provide for offshore leasing practices for the exploration of mineral and oil resources;

18. Funds to step up Delaware's Youth Fitness Program.

OUR EMPLOYEES AND EXECUTIVES

The opportunity to work with the thousands of people who are connected with our State as employees, executives, or as commissioners and board members, has to me been an experience full of inspiration and personal satisfaction.

I believe that our State employees are dedicated to the purpose of sincerely serving the people of our State in every area of their responsibility.

We are likewise indeed fortunate to have the splendid assistance of hundreds of talented and capable Delawareans who serve the State on its boards and commissions, many of whom receive no compensation except the satisfaction of making their personal contribution to the successful operation of their State.

On behalf of a grateful Delaware, I express our warm thanks to all of these public servants for the splendid record they have made in the outstanding service they have given their State.

CONCLUSION

Delaware is moving forward. We are facing up to our problems and we are making a determined effort to find the answers to our perplexing questions.

Unemployment is on the wane. New, desirable industry is finding our State to be a good place in which to locate. The spirit of our people is good and we look forward to a future of greater opportunities and accomplishments.

We are endowed with few natural resources, but with great human resources. The most important contribution which our State can make to a

successful future is to nurture, encourage and inspire our great human resources, the vibrant, vital and valiant people of our State.

May we, the people of Delaware, continue this forward progress, thankful for the many blessings which God has seen fit to shower upon us, ever seeking more light and understanding, and ever using this knowledge for the welfare and advancement of all of humanity.



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